



IFW

P.O. Box 291
Portage, WI 53901
September 5, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria Va 22313-1450

re: U.S. APPLICATION NUMBER: 10/680830
FILING DATE: 09/15/2003
NAME OF APPLICANT: Timothy Raymond Cronin
TITLE OF INVENTION: Certified protection from subliminal
content for recordings.

Dear Sirs:

After almost two years of watching my mailbox for word about my pending patent, application number 10/680830, to my delight I received a letter on 03SEP05 from the USPTO.

After my original filing which I sent by USPS Express Mail on 07OCT03 I waited for a long time. Then on 27JUL04 I called phone #(703) 305-4700. The lady I talked to at that number said my application had just recently been sent to an examiner "due to backlog." And that it just got into the system, and that I'd be sent notice.

After hearing nothing from the USPTO, I called again on 02NOV04, and was told no specifics. But only that my application was still being processed and the patent hadn't been issued yet. So, after hearing nothing, I called phone #(703) 305-4700 again on 26JAN05 and was told that my application was undergoing "pre-exam processing." But I subsequently still heard nothing from the USPTO.

So I called again on 28JUL05, and finally got connected to phone #(703) 308-1202. The lady I talked with said to me, with some concern in her voice, "I see that" when I told her that I had put my application in in the fall of 2003. She told me that my application was probably "lost in cyberspace." I asked her if there was anything I needed to do. Her answer: "no." So I asked her if it would be taken care of. Her answer: "yes."

But I got no response from the USPTO. So on 12AUG05 I called phone #(703) 308-1202, and was told that that number had been changed to (571) 272-4000 (office of initial patent application). I called phone #(571) 272-4000, and talked

with Mrs. Robinson. I told her I had already made my application. She told me she knew that I had already paid my filing fee. And I was told my filing date was October 15, 2003. She asked me to send her a copy of my original application via USPS Express Mail which I did promptly. But I included a letter (see enclosed copy of that letter) in which I tried to reinforce the idea that I was obviously not trying to file a new application.

I had asked her how I could know that the information she asked me to send to her would, if I did send it, not also be lost in cyberspace. She told me nothing in life is certain. So I asked her to wait a moment while I formulated a question which would make more sense. This seemed to me to prompt her to consider ways to advance my application. She briefly mentioned faxing, but I think to try to save me money she decided it would be best if I used Express Mail, which was less expensive. I was given to understand that she would get my original application processed timely. I thought I made it clear that I did not want to re-file my application.

But I called the "private number" which Mrs. Robinson gave me on 12AUG05 to see whether or not what I had sent to her was sufficient. But I got an [Audix (?)] automatic voice recording answering extension 168 for "Linda McDowel" (phonic spelling). No one answered, so I pressed "0" as per automatic instructions for assistance and let the phone ring for over ten minutes after which time I hung up.

But I called back right away, and left a recording for Linda McDowel stating my application number, 10/680830, and that I'd talked with Mrs. Robinson on 12AUG05. That I'd sent a copy of my application which had arrived that very day at the USPTO (15AUG05). And that I wondered whether or not I needed to send more information. I said that I had included a letter with the copy of my application which I sent to Mrs. Robinson. Also, I stated that I had called the USPTO several times before, and what the results of those calls were. I asked to be contacted by mail.

But I heard nothing back, so on 23AUG05 I called phone #(571) 272-4000 and told Mrs. Day, the lady I talked with, that I had sent my original application in the fall of 2003, called the USPTO a few times or so, finally talked with Mrs. Robinson and sent a copy of my original application; but, still, got nothing.

Mrs. Day said my application hadn't been classified or reviewed. I asked whether or not I could be sent a postcard or something letting me know when it was reviewed. Mrs. Day said "give me two weeks" after which time she said I should call back if I hadn't received anything. And, sure enough, in less than two weeks I got my first letter from the USPTO

(not including the postcard with my original application number on it).

But when I received the letter last week from the USPTO I was unpleasantly surprised by an application date which had apparently been bumped forward by almost two years. And I was asked to pay fees, late fees, and a surcharge totaling \$1130.00, which seems to relate partly to an issuance fee amount, but which appears additionally to be a request for an initial filing fee and related charges. But I can prove that I paid the whole \$385.00 basic filing fee in October 2003 (I had sent a check along with my original application).

Consequently, I ask that the USPTO fix this problem. That is, have my original patent application examined, and let me know timely the determination of its status (actually, the copy of my original application, which I had recently sent to Mrs. Robinson, seems to have been examined already: about which more below). And I ask that the erroneous requirements of the missing parts formalities letter (I did sign the original application, and I did pay the filing fee) be canceled. And that both the new but wrong filing date and new but wrong application number be expunged. Also, I ask that the issuance fee be waived after notice of allowance due to the inconvenience I've already encountered. In particular the long initial delay, and the current mix-up which especially owing to the changed application date has required me to produce this difficult communication.

When Mrs. Robinson, phone #(571) 272-4000, asked me on 12AUG05 to send her a copy of my original application she gave no indication that it had to be complete, and I purposefully did not sign it so as to try to avoid just the problems which nevertheless subsequently occurred. As I mentioned above, a copy of my letter to Mrs. Robinson is enclosed: please note that I was explicit in my efforts to prevent what materials I sent to her from being confounded with my original patent application (which I did sign with my full name).

Yet, except for my signature, the copy of my original application which I sent to Mrs. Robinson on 12AUG05 did contain all of the information of the original. The "missing parts" notice asks for an "abstract of the technical disclosure." I didn't include one originally because the idea which I'm trying to get patented is so simple that I mistakenly thought that the patent title was almost self-explanatory. To correct that error I've included on a separate sheet an Abstract Of The Disclosure, and on another sheet a new page six of my application plus a "version with markings to show changes made"(please see).

I do manual labor for a living. The cost to me of my application

including the two Express Mail mailings and many long distance phone calls has been over \$400.00. I have not been able to locate in the packet of information sent to my in 2003 by the USPTO an explanation of why there is an examination fee: I thought that was part of the application fee. If after reading this letter and its included enclosures the USPTO still determines that I need to pay certain fees to have a patent granted for my idea, then please let me know what those fees are, and where they are to be sent.

If a guest at the retail store I work for paid over \$400.00 and after almost two years got nothing for that money, that retailer would be in trouble. I know the U.S. is at war, and that it has just suffered a terrible natural disaster. But perhaps we can agree that the U.S. is not hopeless. That there is a value in not giving up — In not abandoning maintenance of the nation's infrastructure, such as an effective patent mechanism. I again ask for your help in fixing this problem. And I thank you for your consideration of this request.

Sincerely,



Timothy Raymond Cronin

P.S. I intend to send this same letter to:

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Enclosures



Specification (contd.)

ABSTRACT OF THE DISCLOSURE

Piracy of audio recordings, recordings containing both audio and video content, and visual recordings is a big challenge to those who own the original intellectual property contained in those recordings. Technical means of preventing or interfering with unauthorized copying of that intellectual content has failed to prevent serious economic damage to the recording industry and to many artists who rely on it. I propose that by certifying specific lack of subliminal content the owners of the intellectual property will be able to appeal to potential purchasers who care about recordings' quality and who will pay for that quality. All subsequent copies of those recordings would lack that quality; and, consequently, would have lower market value.

Specification (contd.)

DRAWINGS

Not Applicable



Specification (contd.)

ABSTRACT OF THE DISCLOSURE

Not Applicable

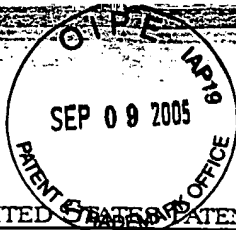
[DELETED & REPLACED WITH NARRATIVE
ABSTRACT OF THE DISCLOSURE]

DRAWINGS

Not Applicable

[MOVED TO NEW PAGE, NO. SIX]

[Version with markings to
show changes made]



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
11/203.657	08/12/2005	2615	0.00			1	1

Timothy Raymond Cronin
P.O. Box 291
Portage, WI 53901

CONFIRMATION NO. 8099

FILING RECEIPT



OC000000016906558

Date Mailed: 08/31/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Timothy Raymond Cronin, Portage, WI;

NOTE CIRCLED ITEMS
ARE INCORRECT

Power of Attorney: None

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted: 08/30/2005

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US11/203,657

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

Certified protection from subliminal content for recordings

Preliminary Class

386

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



P.O. Box 291

Portage, WI 53901

August 12, 2005

Mrs. Marcia Robinson

South Tower Building, Room 437A

Commissioner of Patents

P.O. Box 1450

Alexandria, VA 22313

Dear Mrs. Robinson:

Thank you for offering to take care of my lost patent application. When you mentioned faxing when we talked this afternoon I got the impression that the copy of my application which you asked me to send to you didn't have to have perfect margins and etc..

The copy (of the application which I sent

(over)

(2)

originally but) which I kept for myself was a final draft. It had printed out a bit crooked. Also, the last number on the first page of the original application received by the PTO on October 15, 2003, was on the second line underneath the words "Express Mail."

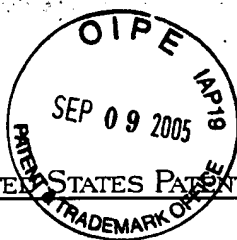
So I didn't sign the slightly imperfect copy (enclosed) of the final draft of the patent application which I'd originally submitted.

Also, if a notice of allowance will be sent, would a reduction of the issuance fee be possible under the circumstances?

Again, thank you for your help with my application.

Sincerely,
Tim Cronin
Tim Cronin

P.S. re: 10/680830



UNITED STATES PATENT AND TRADEMARK OFFICE

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 United States Patent and Trademark Office
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
11/203,657	08/12/2005	Timothy Raymond Cronin	

Timothy Raymond Cronin
 P.O. Box 291
 Portage, WI 53901

CONFIRMATION NO. 8099

FORMALITIES
 LETTER

Date Mailed: 08/31/2005

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 150 to complete the basic filing fee for a small entity.
- The oath or declaration is unsigned.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- An abstract of the technical disclosure not exceeding 150 words in length and commencing on a separate sheet in compliance with 37 CFR 1.72(b) is required. An abstract was not provided for this application.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$565** for a Small Entity

- **\$150** Statutory basic filing fee.
- **\$65** Surcharge.
- The application search fee has not been paid. Applicant must submit **\$250** to complete the search fee.
- The application examination fee has not been paid. Applicant must submit **\$100** to complete the examination fee for a small entity in compliance with 37 CFR 1.27


Items Required To Avoid Processing Delays:

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- A new oath or declaration, identifying this application number is required. The oath or declaration does not comply with 37 CFR 1.63 in that it:
- does not state that the person making the oath or declaration acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.
- does not state that the person making the oath or declaration has reviewed and understands the contents of the specification, including the claims, as amended by any amendment specifically referred to in the oath or declaration.
- does not state that the person making the oath or declaration believes the named inventor or inventors to be the original and the first inventor or inventors of the subject matter which is claimed and for which a patent is sought.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*


Office of Initial Patent Examination (571) 272-4000, or 1-800-PTO-9199, or 1-800-972-6382
PART 2 - COPY TO BE RETURNED WITH RESPONSE



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
11/203,657	08/12/2005	Timothy Raymond Cronin	

Timothy Raymond Cronin
 P.O. Box 291
 Portage, WI 53901

CONFIRMATION NO. 8099

FORMALITIES
 LETTER

Date Mailed: 08/31/2005

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

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- The statutory basic filing fee is missing.
Applicant must submit \$ 150 to complete the basic filing fee for a small entity.
- The oath or declaration is unsigned.

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- An abstract of the technical disclosure not exceeding 150 words in length and commencing on a separate sheet in compliance with 37 CFR 1.72(b) is required. An abstract was not provided for this application.

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- does not state that the person making the oath or declaration acknowledges the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.
- does not state that the person making the oath or declaration has reviewed and understands the contents of the specification, including the claims, as amended by any amendment specifically referred to in the oath or declaration.
- does not state that the person making the oath or declaration believes the named inventor or inventors to be the original and the first inventor or inventors of the subject matter which is claimed and for which a patent is sought.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Office of Initial Patent Examination (571) 272-4000, or 1-800-PTO-9199, or 1-800-972-6382
PART 1 - ATTORNEY/APPLICANT COPY